

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRUSTEES OF THE BRICKLAYERS AND ALLIED
CRAFTWORKERS, LOCAL 5 NEW YORK
RETIREMENT, WELFARE, LABOR MANAGEMENT
COALITION and APPRENTICE TRAINING AND
JOURNEYMEN UPGRADING FUNDS, and
BRICKLAYERS AND ALLIED CRAFTWORKERS
LOCAL 5 NEW YORK,

**VOLUNTARY WITHDRAWAL
AND ORDER
DISCONTINUING ACTION**

07 CIV 11452 (SCR)

Plaintiffs,

- against -

MARQUISE CONSTRUCTION & DEVELOPMENT
CORP., MARQUISE CONSTRUCTION CORP.,
and ROSS J. MUSCOLINO, Individually, and
MZ CONTRACTING CORP., and COLONIAL
SURETY COMPANY (as surety for MARQUISE
CONSTRUCTION & DEVELOPMENT CORP.)

Defendants,

-----X
WHEREAS, to avoid the expense and inconvenience of continued litigation and the
parties having agreed to settle this action, this action is

HEREBY VOLUNTARILY WITHDRAWN by the plaintiffs and it is acknowledged that
this action be discontinued with prejudice and without costs.

Dated: January 30, 2008

~~GELLERT & KLEIN, P.C.~~

BY:

Stephen E. Ehlers (SE-3064)
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Case Moved

SO ORDERED February 29, 2008

Stephen C. Robinson
STEPHEN C. ROBINSON, U.S.D.J.